REMARKS

Claims 1-3 are pending in the present application.

Claim Rejections - 35 U.S.C. § 112

Claims 1-3 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action states that the specification does not disclose the limitation added by amendment on June 7, 2006: "boiling the rice having an oil film over the surface of each rice grain."

Applicants respectfully submit that the specification discloses "boiling the rice having an oil film over the surface of each rice grain" as recited in claim 1.

For example, the specification states:

> there occurs substitution of water on the surface of the rice grain with an oil to form **uniform oil coating** over the surface of each rice grain, improving a dry and crumbly feeling of the rice grains to inhibit absorption of water by them **during boiling**.

(Specification, page 4, lines 17-21; *see also* page 5, lines 25-31.)

Withdrawal of the rejection is requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1-3 were rejected under 35 U.S.C. § 102(b), as being anticipated by **Takatsu** (U.S. Patent No. 3,914,454). Favorable reconsideration is requested.

Takatsu discloses an industrial method of preparing cereals including rice. The method includes washing the rice, coating with oil and subjecting to steaming. (Col. 1, lines 54-67.) Takatsu discloses that the addition of the oil before steaming prevents the agglomeration of the

rice particles in the course of drying. (Col. 1, line 67 to col. 2, line 3.) After steaming, the particles are dried at 20 °C to 100 °C by hot air or exposure to the sun. (Col. 2, lines 7-10.) The drying step of Takatsu is to dry the rice not only on the surface of each rice grain, but also inside each rice grain for accelerating gelatinization during the frying step. The moisture content of the particles is decreased to 8 to 25 %. After drying, the particles are fried in oil for 5 to 30 seconds. (Col. 2, lines 16-20.) Then the particles are de-oiled to reduce oil to less than 16.5 %. The final step of preparing the rice is to add water to the rice and heat for about 3 minutes. (Col. 2, lines 52-61.) Since the particles are de-oiled, the rice does not have a uniform coating on the rice. Thus, it is difficult to inhibit water absorption in the boiling step.

Applicants respectfully submit that Takatsu does not disclose "cooling and individuating the rice to remove moisture present on the surface of each rice grain" as recited in claim 1.

In the present invention, the specification discloses that one method of cooling the rice is to use a blower that blows air at ambient temperature on the rice. (Specification, page 3.) The specification also discloses individuating the rice by using a swizzle stick having comb-like fingers. (Specification, page 3 to 4.) The rice is individuated to improve the uniformity and evenness of the oil film on the rice. (Specification, page 3.)

The Office Action takes the position that the steaming and drying processes disclosed in Takatsu corresponds to the "cooling and individuating" step of claim 1. (Office Action, page 3.) The steaming process is carried out to gelatinize the rice. Oil is coated on the rice before

steaming to prevent agglomeration during the drying process. (Col. 1, line 61 to col. 2, line 1.) The drying process in Takatsu takes place at a temperature of 20 °C to 100 °C by means of hot air or by exposing the rice to the sun.

The Office Action states that "coating the rice with oil" in the steaming step corresponds to the individuating step as recited in claim 1. Even though "coating the rice with oil" before steaming prevents agglomerations from forming, it is not an individuating step. As stated above, an individuating step individuates the rice by, *e.g.*, the use of a swizzle stick having comb-like fingers. "Coating the rice with oil" does not individuate the rice.

Takatsu does not disclose "cooling and individuating the rice to remove moisture present on the surface of each rice grain." Therefore, Takatsu does not disclose the elements as recited in claim 1.

Applicants respectfully submit that Takatsu does not disclose "boiling the rice having an oil film over the surface of each rice grain together with seasonings and water" as recited in claim 1.

Takatsu discloses frying the rice in oil, (col. 2, lines 16-20), and then de-oiling the rice before boiling the rice (col. 2, lines 34-43). Takatsu suggests that a small amount of oil may still remain in the rice after the de-oiling process. (Col. 2, lines 43-51.)

The Office Action takes the position that the de-oiling process of Takatsu only reduces the amount of excess oil, rather than eliminating all of the oil. (Office Action, page 4, citing Takatsu, col. 2, lines 35-51.) However, Takatsu at col. 2, lines 35-51 states that the remaining oil

after the de-oiling process is a "**small amount** of oil still remaining **in** the particle." However, since it is only a "small amount" of oil and because it is "in the particles" of rice, the rice cannot be considered as "having an oil film over the surface of each rice grain."

Since Takatsu discloses de-oiling the rice before boiling the rice, Takatsu does not disclose "boiling the rice having an oil film over the surface of each rice grain together with seasonings and water." Therefore, Takatsu does not disclose the elements as recited in claim 1.

Applicants respectfully submit that the rice product disclosed in Takatsu does not inherently possess the properties as recited in claims 2 and 3.

The method disclosed in Takatsu is similar to the "conventional method" disclosed in the present specification. (Specification, pages 1-2 and 4.) In Takatsu, as in the "conventional method," a uniform coating of oil cannot form on the rice before boiling. Thus, the rice cannot form a difference in moisture content between the outer layer and the inner layer of the rice grain as recited in claim 2 and a diffusion area as recited in claim 3. The properties of rice grains formed by the conventional method, and similarly by the method of Takatsu, are shown in Tables 2 and 3.

Takatsu does not inherently possess the properties as recited in claims 2 and 3. Therefore, Takatsu does not disclose the elements as recited in claims 2 and 3.

Accordingly, withdrawal of the rejection of claims 1-3 is hereby solicited.

Double Patenting

Claims 1-3 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-5 of copending **Application No. 11/135,436** in view of Takatsu (U.S. Patent No. 3,914,454).

Since this is a provisional rejection, Applicants will wait until all other rejections are withdrawn before addressing the obviousness-type double patenting rejection.

In view of the above remarks, Applicants submit that the claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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